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43369-0001.us

## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT       | ATTY. DOCKET NO. |
|-----------------------------|-----------------------------|------------------|
| 10/575,291                  | Kingston Henry Gordon Mills | 43369-0001       |

| INTERNATIONAL APPLICATION NO. |
|-------------------------------|
|-------------------------------|

PCT/IE04/00139

| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|
|------------------|---------------|

10/14/2004

10/14/2003

25213  
HELLER EHRMAN LLP  
275 MIDDLEFIELD ROAD  
MENLO PARK, CA 94025-3506

**RECEIVED**

JAN 16 2007

HELLER EHRMAN

Date Mailed: 01/10/2007

CONFIRMATION NO. 1806

371 FORMALITIES LETTER



\*OC000000021908799\*

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/11/2006
- Copy of the International Search Report filed on 04/11/2006
- Preliminary Amendments filed on 04/11/2006
- Information Disclosure Statements filed on 07/11/2006
- Request for Immediate Examination filed on 04/11/2006
- U.S. Basic National Fees filed on 04/11/2006
- Priority Documents filed on 04/11/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

1/24/07  
**DOCKETED**  
Response to missing parts due 3/10/07  
Final due 8/10/07

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/575,291                  | PCT/IE04/00139                | 43369-0001       |

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2006

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 130.00

## Complete if Known

|                      |                             |
|----------------------|-----------------------------|
| Application Number   | PCT/IE04/00139              |
| Filing Date          | October 14, 2004            |
| First Named Inventor | Kingston Henry Gordon Mills |
| Examiner Name        | Unknown                     |
| Art Unit             | 1645                        |
| Attorney Docket No.  | 43369-0001                  |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 08-1641

Deposit Account Name HELLER EHRMAN LLP (43369-0001)

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 1001 300                   | 2001 150                   | Utility filing fee     |          |
| 1002 200                   | 2002 100                   | Design filing fee      |          |
| 1003 200                   | 2003 100                   | Plant filing fee       |          |
| 1004 300                   | 2004 150                   | Reissue filing fee     |          |
| 1005 200                   | 2005 100                   | Provisional filing fee |          |

SUBTOTAL (1) (\$ )

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

|                    | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Total Claims       | -20** =      | X              |          |
| Independent Claims | -3** =       | X              |          |
| Multiple Dependent |              |                |          |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  |
|----------------------------|----------------------------|--|
| 1202 50                    | 2202 25                    | Claims in excess of 20                                     |
| 1201 200                   | 2201 100                   | Independent claims in excess of 3                          |
| 1203 360                   | 2203 180                   | Multiple dependent claim, if not paid                      |
| 1204 200                   | 2204 100                   | ** Reissue independent claims over original patent         |
| 1205 50                    | 2205 25                    | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ )

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description  | Fee Paid |
|---------------|---------------|--|----------|
| 1051 130      | 2051 65       | Surcharge - late filing fee or oath  | 130      |
| 1052 50       | 2052 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130      | 1053 130      | Non-English specification  |          |
| 1812 2,520    | 1812 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804 920*     | 1804 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*   | 1805 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251 120      | 2251 60       | Extension for reply within first month                                     |          |
| 1252 450      | 2252 225      | Extension for reply within second month                                    |          |
| 1253 1,020    | 2253 510      | Extension for reply within third month                                     |          |
| 1254 1,590    | 2254 795      | Extension for reply within fourth month                                    |          |
| 1255 2,160    | 2255 1,080    | Extension for reply within fifth month                                     |          |
| 1401 500      | 2401 250      | Notice of Appeal   |          |
| 1402 500      | 2402 250      | Filing a brief in support of an appeal                                     |          |
| 1403 1,000    | 2403 500      | Request for oral hearing   |          |
| 1451 1,510    | 1451 1,510    | Petition to institute a public use proceeding                              |          |
| 1452 500      | 2452 250      | Petition to revive - unavoidable   |          |
| 1453 1,500    | 2453 750      | Petition to revive - unintentional   |          |
| 1501 1,400    | 2501 700      | Utility issue fee (or reissue)   |          |
| 1502 800      | 2502 400      | Design issue fee   |          |
| 1503 1,100    | 2503 550      | Plant issue fee  |          |
| 1460 130      | 1460 130      | Petitions to the Commissioner  |          |
| 1807 50       | 1807 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806 180      | 1806 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021 40       | 8021 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809 790      | 2809 395      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 790      | 2810 395      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 790      | 2801 395      | Request for Continued Examination (RCE)                                    |          |
| 1802 900      | 1802 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 130

## SUBMITTED BY

Name (Print/Type) James A. Fox

Registration No. 38,455  
(Attorney/Agent)

(Complete if applicable)

Telephone 650-324-7000

Signature

Date March 2, 2007

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



03 - 015PCC'd PCT/PTO 02 MAR 2007

PTO-1390 (Rev. 02-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

**43369-0001**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/575,291**

INTERNATIONAL APPLICATION NO.

**PCT/IE2004/000139**

INTERNATIONAL FILING DATE

**October 14, 2004**

PRIORITY DATE CLAIMED

**October 14, 2003**

TITLE OF INVENTION

**FILAMENTOUS HAEMAGGLUTININ IN THE TREATMENT AND/OR PROPHYLAXIS OF IMMUNE-MEDIATED DISORDERS**

APPLICANT(S) FOR DO/EO/US

**KINGSTON MILLS, et al.**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau. (copy of PCT/IB/308 attached).
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4))
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Missing Parts Notice and Return Stamped Postcard.

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)  |              | INTERNATIONAL APPLICATION NO.   |         | ATTORNEY'S DOCKET NUMBER |              |
|--|--------------|---|---------|--------------------------|--------------|
| 10/575,291   |              | PCT/IE2004/000139   |         | 43369-0001               |              |
| The following fees have been submitted   |              |   |         | CALCULATIONS             | PTO USE ONLY |
| 21. <input type="checkbox"/> Basic national fee..... \$300   |              |   |         | \$                       |              |
| 22. <input type="checkbox"/> Examination fee<br>If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100<br>All other situations..... \$200   |              |   |         | \$                       |              |
| 23. <input type="checkbox"/> Search fee<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100<br>International Search Report prepared and provided to the Office..... \$400<br>All other situations..... \$500 |              |   |         | \$                       |              |
| TOTAL OF 21, 22 and 23 =   |              |   |         | \$                       |              |
| <input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium).<br>The fee is \$250 for each additional 50 sheets of paper or fraction thereof.                   |              |   |         |                          |              |
| Total Sheets   | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE    |                          |              |
| 0  | - 100 = 0    | /50 = 0   | x \$250 | \$ 0                     |              |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).   |              |   |         | \$ 130                   |              |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA  | RATE    | \$                       |              |
| Total claims   | - 20 =       |   | x \$ 50 | \$                       |              |
| Independent claims   | - 3 =        |   | x \$200 | \$                       |              |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |              |   | + \$360 | \$ 0                     |              |
| TOTAL OF ABOVE CALCULATIONS =  |              |   |         | \$                       |              |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.  |              |   |         |                          |              |
| SUBTOTAL =   |              |   |         | \$                       |              |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  |              |   |         | \$ 0                     |              |
| TOTAL NATIONAL FEE =   |              |   |         | \$                       |              |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property   |              |   |         | \$ 0                     |              |
| TOTAL FEES ENCLOSED =  |              |   |         | \$                       |              |
|  |              |   |         | Amount to be refunded:   | \$           |
|  |              |   |         | Amount to be charged:    | \$ 130       |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.   |              |   |         |                          |              |
| b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>08-1641</u> in the amount of \$ <u>130</u> to cover the above fees.<br>A duplicate copy of this sheet is enclosed.  |              |   |         |                          |              |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>08-1641</u> . A duplicate copy of this sheet is enclosed.  |              |   |         |                          |              |
| d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.   |              |   |         |                          |              |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.   |              |   |         |                          |              |
| SEND ALL CORRESPONDENCE TO:  |              |   |         |                          |              |
| Heller Ehrman LLP  |              |   |         |                          |              |
| 275 Middlefield Road   |              |   |         |                          |              |
| Menlo Park, CA 94025-3506  |              |   |         |                          |              |
|  |              |   |         | SIGNATURE                |              |
|  |              |   |         | JAMES A. FOX             |              |
|  |              |   |         | NAME                     |              |
|  |              |   |         | 38,455                   |              |
|  |              |   |         | REGISTRATION NUMBER      |              |